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1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 744.1076, F.S., relating to
 4 public record exemptions for court records relating to
 5 court monitors in guardianship proceedings; consolidating
 6 provisions; providing that orders appointing nonemergency
 7 court monitors are exempt rather than confidential and
 8 exempt; providing that only court orders finding no
 9 probable cause are confidential and exempt; saving the
 10 exemptions from repeal under the Open Government Sunset
 11 Review Act; removing the scheduled repeal of the
 12 exemption; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 744.1076, Florida Statutes, is amended
 17 to read:

18 744.1076 Court orders appointing court monitors and
 19 emergency court monitors; reports of court monitors; orders
 20 finding ~~findings~~ of no probable cause; public records
 21 exemptions.—

22 (1) (a) The order of any court appointing a court monitor
 23 pursuant to s. 744.107 or an emergency court monitor pursuant to
 24 s. 744.1075 is ~~confidential and~~ exempt from ~~s. 119.07(1) and s.~~
 25 24(a), Art. I of the State Constitution.

26 (b) The reports of an appointed court monitor or emergency
 27 court monitor relating to the medical condition, financial
 28 affairs, or mental health of the ward ~~that are required pursuant~~

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29 ~~to s. 744.107~~ are confidential and exempt from ~~s. 119.07(1)~~ and
 30 s. 24(a), Art. I of the State Constitution. Such reports may be
 31 subject to inspection as determined by the court or upon a
 32 showing of good cause.

33 (c) The public records exemptions provided in this
 34 subsection expire if a court makes a finding of probable cause,
 35 except that information otherwise made confidential or exempt
 36 shall retain its confidential or exempt status.

37 ~~(2)(a) The order of any court appointing a court monitor~~
 38 ~~on an emergency basis pursuant to s. 744.1075 is exempt from s.~~
 39 ~~119.07(1) and s. 24(a), Art. I of the State Constitution.~~

40 ~~(b) The reports of a court monitor appointed on an~~
 41 ~~emergency basis relating to the medical condition, financial~~
 42 ~~affairs, or mental health of the ward that are required pursuant~~
 43 ~~to s. 744.1075 are confidential and exempt from s. 119.07(1) and~~
 44 ~~s. 24(a), Art. I of the State Constitution. Such reports may be~~
 45 ~~subject to inspection as determined by the court or upon a~~
 46 ~~showing of good cause.~~

47 ~~(c) The public records exemptions provided in this~~
 48 ~~subsection expire if a court makes a finding of probable cause,~~
 49 ~~except that information otherwise made confidential or exempt~~
 50 ~~shall retain its confidential or exempt status.~~

51 (2)(3) ~~Court determinations relating to a finding of no~~
 52 ~~probable cause and Court orders finding no probable cause~~
 53 ~~pursuant to s. 744.107 or s. 744.1075 are confidential and~~
 54 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~
 55 ~~Constitution; however, such orders determinations and findings~~
 56 ~~may be subject to inspection as determined by the court or upon~~

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57 a showing of good cause.

58 ~~(4) This section is subject to the Open Government Sunset~~
59 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
60 ~~on October 2, 2011, unless reviewed and saved from repeal~~
61 ~~through reenactment by the Legislature.~~

62 Section 2. This act shall take effect October 1, 2011.